

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

| | | |
|--------------------------|---|-------------------------|
| UNITED STATES OF AMERICA |] | |
| |] | |
| v. |] | Cr. No. 19-cr-142-01-LM |
| |] | |
| NATHAN CRAIGUE |] | |

**MOTION TO CONTINUE HEARING/
NO OBJECTION BY GOVERNMENT**

The defendant, Nathan Craigue, through his counsel, Dorothy E. Graham, AFD, files this motion respectfully requesting that the Court continue the hearing scheduled for December 16, 2020. Grounds follow.

Per the Court's procedural order of December 10, 2020, the parties are scheduled to argue and address jury instructions, Motions in Limine #1, 4 and 5 at a hearing scheduled for December 16, 2020. Motion in Limine #2 and the defense's response to the government's 404b notice are to be addressed at a separate hearing yet to be scheduled. The trial was recently continued to April, 2021.

Counsel conferred with Mr. Craigue today concerning the motion hearing. Mr. Craigue disclosed that he tested positive for Covid-19 on Friday and is currently symptomatic and not feeling well. While recognizing that Mr. Craigue does not have the right to appear at the motion hearing, *see* Fed. R. Crim. P. 43(b)(3), counsel for the defendant asks that he be allowed to attend when he is feeling well and able to fully participate - even if that amounts to listening first-hand to the parties' arguments and the Court's discussion of the evidentiary issues that will impact his trial.

The government has no objection.

Wherefore the defendant respectfully moves the Court to grant this motion and to continue the hearing scheduled for December 16, 2020.

Respectfully submitted,

Date: December 16, 2020

/s/ Dorothy E. Graham

Dorothy E. Graham

N.H. Bar No. 11292

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CERTIFICATE OF SERVICE

I hereby certify that the above document was served on the following person on December 16, 2020 and in the manner specified herein: electronically served through CM/ECF to AUSA John Davis and AUSA Anna Dronzek.

/s/Dorothy E. Graham

Dorothy E. Graham